

## **Remarks/Arguments**

Claims 1-24 are now pending in this application. In the January 30, 2007 Office Action, Claims 1-24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Swank, U.S. Patent No. 4,641,274, (hereinafter “*Swank*”) in view of Schauser, U.S. Patent No. 6,331,855, (hereinafter “*Schauser*”). Claims 20-23 were objected to as not being in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution.

By this amendment, claims 9, 17, and 24 have been cancelled. Claims 1-2, 6-7, 11-13, and 21-23 have also been amended. Following entry of this amendment, claims 1-8, 10-16, and 18-23 will be pending in the present application. For the reasons set forth below, the applicant respectfully requests reconsideration and immediate allowance of this application.

### **Claim Objections**

In the January 30, 2007 Office Action, claims 20-23 were objected to as not being in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. In accordance with the Examiner’s renumbering, the applicant has renumbered claims 20-23 as claims 21-24. Withdrawal of the claim objections is respectfully requested.

### **Claim Rejections Under 35 U.S.C. 103(a)**

#### **Claim 1**

In the January 30, 2007 Office Action, claim 1 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Swank* in view of *Schauser*. Claim 1 has been amended to incorporate the recitations of cancelled claim 9. Amended claim 1 claims, *inter alia*, “during a timer interrupt for a first computer, checking a video text data memory for changed video text data on the first computer in the computer network.” With regards to cancelled claim 9, the Office Action acknowledges that “*Swank* and *Schauser* do not teach...wherein the predetermined time interval is a timer interrupt for the remote computer in the computer network.” (Paper no. 20070118 at p. 6). Then, without offering any objective evidence, the Office Action conclusorily states that “it would have been obvious to one of skilled in the art at time of the invention to

include a timer into the system of *Swank* in order to monitor and quickly identify the data which have been modified or updated on a reasonably periodic basis.” (Paper no. 20070118 at p. 6). The applicant respectfully disagrees.

It is well-established that *prima facie* obviousness cannot be sustained on the basis of mere conjecture, speculation or hindsight gleaned from the applicant’s disclosure. By providing no objective evidence whatsoever in support of the rejection of cancelled claim 9, the Office Action appears to rely on conjecture, speculation, or hindsight gained impermissibly from the applicant’s disclosure. As such, the Office Action did not meet the burden of establishing *prima facie* obviousness.

Accordingly, *Swank and Schauser*, alone or in combination, do not teach, suggest, or describe each and every element of amended independent claim 1. The applicant therefore submits that this claim is in condition for immediate allowance. The applicant further submits that claims 2-8 and 10-11 are also patentable because they depend from allowable independent claim 1. Accordingly, the applicant submits that claims 1-8 and 10-11 are in condition for immediate allowance.

#### Claim 12

In the January 30, 2007 Office Action, claim 12 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Swank* in view of *Schauser*. Claim 12 has been amended to incorporate the recitations of cancelled claim 17. Amended claim 12 claims, *inter alia*, “check the video buffer for changed video text data during a system timer interrupt.” As discussed above with respect to claim 1, neither *Swank* nor *Schauser*, alone or in combination, teaches or suggests checking for changed video text data during a system timer interrupt. It is further respectfully submitted that *Swank* does not teach or suggest checking a video buffer for changed video text data. Instead, *Swank* discloses a terminal 30 that receives a text file from a host 20. (*Swank* at col. 3, lines 27-30).

It should be noted that even prior to amendment, the Office Action did not address “send the changed video text data from the controller to a video display device,” as claimed in claim 12. It is respectfully submitted neither *Swank* nor *Schauser*, alone or in combination, teach or suggest the recited portion of claim 12.

Accordingly, *Swank and Schauser*, alone or in combination, do not teach, suggest, or describe each and every element of amended independent claim 12. The applicant therefore submits that this claim is in condition for immediate allowance. The applicant further submits that claims 13-16 and 18-22 are also patentable because they depend from allowable independent claim 12. Accordingly, the applicant submits that claims 12-16 and 18-22 are in condition for immediate allowance.

### Claim 23

In the January 30, 2007 Office Action, claim 23 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Swank* in view of *Schauser*. Amended claim 23 claims, *inter alia*, “during a system timer interrupt of a first computer in the computer network, selecting a line of video text data from among a plurality of lines of video text data stored in a video buffer.” As discussed above with respect to claim 1, neither *Swank* nor *Schauser*, alone or in combination, teaches or suggests checking selecting a line of vide text data from among a plurality of lines of video text data during a system timer interrupt. It is further respectfully submitted that *Swank* does not teach or suggest that the plurality of lines of video text data are stored in a video buffer. Instead, *Swank* discloses a terminal 30 that receives a text file from a host 20. (*Swank* at col. 3, lines 27-30).

Amended claim 23 further recites “sending each changed line of video text data stored in the shared memory during the system timer interrupt from the first computer to the second computer in the computer network.” While, as the Office Action notes, *Schauser* at Abstract discloses “examin[ing], at a predetermined interval, the location of a current displayed image,” neither *Swank* nor *Schauser*, alone or in combination, teaches or suggests the recited portion of claim 23.

Accordingly, *Swank and Schauser*, alone or in combination, do not teach, suggest, or describe each and every element of amended independent claim 23. The applicant therefore submits that this claim is in condition for immediate allowance.

#### Claim 6

In the January 30, 2007 Office Action, claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Swank* in view of *Schauser*. With regards to claim 6, the Office Action relies on *Swank* at Abstract and col. 2, lines 1-14. The applicant respectfully disagrees.

The Abstract provides a general summary of *Swank*'s invention and makes no mention of "sending each changed line of video text data stored in the shared memory during the timer interrupt from the first computer to the second computer in the computer network," as claimed in claim 6. *Swank* at col. 2, lines 1-14 simply repeats the text of the Abstract and provides no additional information. Accordingly, *Swank* and *Schauser*, alone or in combination, do not teach, suggest, or describe each and every element of claim 6. The applicant therefore submits that this claim is in condition for immediate allowance.

#### Claim 7

In the January 30, 2007 Office Action, claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Swank* in view of *Schauser*. With regards to claim 7, the Office Action relies on *Swank* at Abstract, col. 2, lines 1-14, and col. 14, lines 46-68. The applicant respectfully disagrees.

As discussed above with respect to claim 6, the Abstract and col. 2, lines 1-14 provide the same information and make no mention of "sending each changed line of video text data stored in the shared memory from the first computer to the second computer in the computer network in response to determining that the memory is full," as claimed in claim 7. *Swank* at col. 14, lines 46-68 discloses that "[i]f the 1535-entry stacks become full during search mode, a 'compare table overflow & flush' occurs." *Swank* discloses that a pair of 1535-entry stacks are used for comparing checksums between two input files. (*Swank* at col. 13, lines 31-35). As such, *Swank* at col. 14, lines 46-68 appears to be entirely unrelated to claim 7. Accordingly, *Swank* and *Schauser*, alone or in combination, do not teach, suggest, or describe each and every element of claim 7. The applicant therefore submits that this claim is in condition for immediate allowance.

#### Claim 11

In the January 30, 2007 Office Action, claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Swank* in view of *Schauser*. With regards to claim 11, the Office Action

relies on *Swank* at Abstract, col. 2, lines 1-14, and col. 14, lines 46-68. The applicant respectfully disagrees.

As discussed above with respect to claim 6, the Abstract and col. 2, lines 1-14 provide the same information and make no mention of “during the timer interrupt, checking the receive buffer in the first computer for keyboard data from the second computer; and if the receive buffer contains the keyboard data, then storing the keyboard data in the first computer,” as claimed in claim 11. *Swank* at col. 14, lines 46-68 discloses that “[i]f the 1535-entry stacks become full during search mode, a ‘compare table overflow & flush’ occurs.” *Swank* discloses that a pair of 1535-entry stacks are used for comparing checksums between two input files. (*Swank* at col. 13, lines 31-35). As such, *Swank* at col. 14, lines 46-68 appears to be entirely unrelated to claim 11. Accordingly, *Swank and Schauser*, alone or in combination, do not teach, suggest, or describe each and every element of claim 11. The applicant therefore submits that this claim is in condition for immediate allowance.

#### Claims 19 and 20

In the January 30, 2007 Office Action, claims 19 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Swank* in view of *Schauser*. With regards to claims 19 and 20, the Office Action acknowledges that “*Swank and Schauser* do not teach...wherein the executable code comprises a basic input/output system and wherein the executable program code is stored in an extended BIOS data area in the memory.” (Paper no. 20070118 at p. 7). Then, without offering any objective evidence, the Office Action conclusorily states that “it would have been obvious to one of skilled in the art at the time of the invention to include BIOS in the system of *Swank* in order to enhance the system with stored data which can be updated if necessary.” (Paper no. 20070118 at p. 7). The applicant respectfully disagrees.

It is well-established that *prima facie* obviousness cannot be sustained on the basis of mere conjecture, speculation or hindsight gleaned from the applicant’s disclosure. By providing no objective evidence whatsoever in support of the rejection of claims 19 and 20, the Office Action appears to rely on conjecture, speculation, or hindsight gained impermissibly from the applicant’s disclosure. As such, the Office Action did not meet the burden of establishing *prima facie* obviousness. Accordingly, *Swank and Schauser*, alone or in combination, do not teach,

suggest, or describe each and every element of claims 19 and 20. The applicant therefore submits that these claims are in condition for immediate allowance.

**Conclusion**

In view of the foregoing amendment and remarks, the applicant respectfully submits that all of the pending claims in the present application are in condition for allowance. Reconsideration and reexamination of the application and allowance of the claims at an early date is solicited. If the Examiner has any questions or comments concerning this matter, the Examiner is invited to contact the applicant's undersigned attorney at the number below.

Respectfully submitted,

HOPE BALDAUFF HARTMAN, LLC

/Steven Koon Hon Wong/

Date: April 25, 2007

"Steven" Koon Hon Wong  
Reg. No. 48,459

Hope Baldauff Hartman, LLC  
1720 Peachtree Street, N.W.  
Suite 1010  
Atlanta, Georgia 30309  
Telephone: 404.815.1900

